

PTO/SB/31 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031  
U S Patent and Trademark Office, U S DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>PF196P1</b> <b>RECEIVED</b>
In re Application of <b>Moore et al.</b>		
CENTRAL FAX CENTER		
<b>DEC 23 2005</b>		
Application Number <b>09/975,253-Conf. #8837</b> Filed <b>October 12, 2001</b>		
For <b>Methods and Compositions for Treating and Preventing Infection Using Human Interferon Regulatory Factor 3</b>		
Art Unit <b>1647</b>	Examiner <b>S. L. Wegert</b>	

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

- The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00
- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 08-3425. I have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

- applicant/inventor.
- assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- attorney or agent of record.  
Registration number 46,789
- attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

M/H \_\_\_\_\_  
Signature  
Mark J. Hyman  
Typed or printed name  
(240) 314-1224  
Telephone number  
December 23, 2005  
Date

NOTE. Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.

<input type="checkbox"/> Total of <u>1</u> forms are submitted.
---

12/27/2005 TL0111 00000057 083425 09975253  
02 FC:1401 500.00 DA